

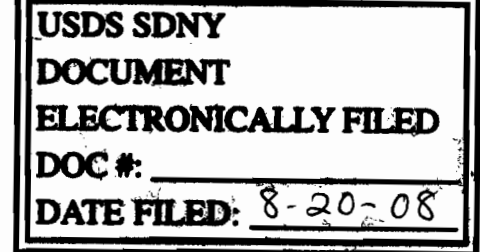
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August 20, 2008

MEMO ENDORSED

By Facsimile: (212) 805-7919
Honorable Leonard B. Sand
United States District Court for the
Southern District of New York
United States Courthouse
500 Pearl Street
Room 1650
New York, New York 10007



Re: *Erth Diamonds, Inc. et al. v. TPC L.L.C. et al.*
Case No. 08 cv 6594 (LBS) (ECF Case)

Dear Judge Sand:

We are in the process of being retained as local counsel to defendants Thomas O. Parker, Wiley Morgan and Choice Diamonds ("Defendants") in the above referenced action, and respectfully submit this request to extend such parties' time to submit their answer to or otherwise move against Erth Diamonds, Inc. and Shah Diamonds, Inc.'s ("Plaintiffs") Complaint in this action to Monday, September 15, 2008.

Because we are still in the process of being retained (having only been contacted yesterday, Tuesday, August 19, 2008), we make this emergency request by facsimile as per the instructions of Your Honor's Chambers. The original date for Defendants to answer and/or otherwise move against the Complaint was Thursday, August 21, 2008. This is Defendants' first request for an extension, to which counsel for Plaintiffs has consented to. No other dates have been scheduled in this matter.

Of course, we remain available should the Court have any questions or comments with regard to the foregoing.

Respectfully,

A handwritten signature in black ink, appearing to be "Benjamin Suess".

Benjamin Suess (BS-0354)

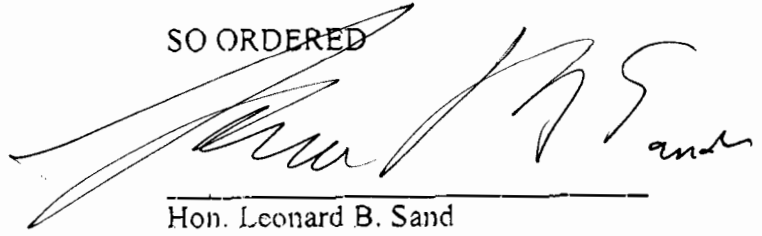
MEMO ENDORSED

Honorable Leonard B. Sand
August 20, 2008
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SO ORDERED

Dated:

8/20/08


Hon. Leonard B. Sand

BWS:ms

cc: Christopher B. Turcotte, Esq.
Edmund J. Novotny, Esq. (by e-mail)
Jonathan Green, Esq. (by e-mail)

MEMO ENDORSED